

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CREEDON CONTROLS, INC., a Delaware
corporation,

Plaintiff,

v.

BANC ONE BUILDING CORPORATION, an
Illinois corporation, and FOREST
ELECTRIC CORPORATION, a New York
corporation,

Defendants.

C.A. NO. 05-CV-300-JJF

**NOTICE OF DEPOSITION AND SUBPOENA OF PAUL BRAINARD
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 45**

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Defendant Banc One Building Corporation will take the oral deposition of Paul Brainard at the offices of Ashby & Geddes, 222 Delaware Avenue, Wilmington, Delaware 19801, beginning at 9:30 A.M. on June 6, 2006, continuing day to day until complete.

NOTICE IS FURTHER GIVEN THAT the deposition will be recorded stenographically by certified reporter and notary public or such other person authorized to administer oaths under the laws of the United States, and shall continue from day to day until completed. This deposition will be videotaped.

NOTICE IS FURTHER GIVEN THAT pursuant to the Federal Rules of Civil Procedure, Defendant Banc One Building Corporation will serve upon Paul Brainard a Subpoena in a Civil Case. Attached hereto as Exhibit A is a true and correct copy of that Subpoena.

Dated: May 26, 2006

ASHBY & GEDDES, P.A.

/s/ Ricardo Palacio
Lawrence C. Ashby (#468)
Philip Trainer, Jr. (#2788)
Ricardo Palacio (#3765)
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-and-

Of Counsel:

**PAUL, HASTINGS, JANOFSKY
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*Attorneys for Defendant Banc One Building
Corporation*